

**LAW OFFICES  
ALTHEIMER  
& GRAY**10 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606-7402  
TEL: (312) 715-4000  
FAX: (312) 715-4800**FACSIMILE COVER PAGE**

<b>DELIVER TO</b> John W. Zerr	<b>COMPANY/CITY, ST, COUNTRY</b> U.S. Patent and Trademark Office	<b>FAX #</b> 703 305 7687	<b>CONTACT PHONE #</b> 703 308 0153
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(890738.1 - 12/13/02 8:15 PM)

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DEC 13 2002

GROUP 3600

**OFFICIAL**

FORM PTO-1083

PATENT  
Attorney Docket No. 61750.03US1

Date: December 13, 2002  
 In Re Application of: Brian Sullivan  
 Application No. 10/058,607  
 Filed: Jan. 28, 2002  
 For: PAIN/BALL GUN HAVING A HINGED RECEIVER AND METHOD FOR MAKING SAME

Group Art Unit: 3614  
 Examiner: John Zerr

COMMISSIONER FOR PATENTS  
 Washington, D.C. 20231

Madam/Sir:

Transmitted herewith is a response to an Office action in the subject application.

- ☒ Petition for Extension of Time  
☐ Applicant petitions for a extension of time under 37 CFR 1.136, the fee for which is \$0.00 (enclosed).  
☒ Applicant believes that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicant hereby petitions for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 011,156 for the appropriate petition fee.
- ☒ No additional claim fee is required.
- ☒ Other: The document transmitted in a Response to Restriction Requirement.

The claim fee has been calculated as shown below:

				SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
			=	x 9=	\$	x 18=	\$
TOTAL		MINUS		x 40=	\$	x 80=	\$
INDEPENDENT		MINUS	=	+ 135=	\$	+ 270=	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIM				TOTAL	\$	TOTAL	\$

- ☐ Please charge my Deposit Account No. 011,156 in the amount of \$

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- ☐ A check in the amount of \$ is attached.

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 011,156. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

ALTHEIMER & GRAY

By:

Michael G. Kelper, Reg. No. 41,111  
 One of the Attorneys for Applicant(s)

Altheimer & Gray  
 101 South Wacker Drive - Ste. 3800  
 Chicago, IL 60606-7482  
 (312) 715 4000 (telephone)  
 (312) 714 4108 (facsimile)

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DEC 13 2002

GROUP 3600

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brian Sullivan

Serial No.: 10/058,607

Filed: Jan. 28, 2002

Title: "PAINTBALL GUN HAVING A HINGED  
RECEIVER AND METHOD FOR  
MAKING SAME"

Examiner: Zerr, John W.

Art Unit: 3644

Atty Docket: 61750.03US1

**RESPONSE TO RESTRICTION REQUIREMENT****Via Fax No. (703) 305-7687**Assistant Commissioner for Patents  
Washington, D.C. 20231**FAX RECEIVED**

DEC 13 2002

**OFFICIAL****GROUP 3600**

Dear Sir:

In response to the Office action dated November 13, 2002, please consider the following remarks.

**REMARKS**

In the Office action of November 13, 2002, the present application was subject to a restriction requirement. In this regard, the Office action asserted that the application contains claims directed to the following inventions – Claims 1-22 drawn to a paintball gun with a hinged receiver (I); Claims 23-30 drawn to paintball gun receiver (II); Claims 31 and 32 drawn to a molding process (III); Claim 33 drawn to a coupler between paintball gun and air source (IV); and Claims 34-36 drawn to paintball gun grip (V). In response, Applicant hereby elects to prosecute the invention set forth in Claims 1-22. This election is made with traverse.

As noted in the Office action, and as required by MPEP § 816, a *prima facie* case of restriction requires a reason as to why the Office considers it to be a *serious* burden to search and examine all of the claims as filed. In the present instance, in order to adequately search the invention recited in the elected Claims 1-22 (I), the Office will, by necessity, also have to search